

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

Case Number: 1:12-cv-00257-JB-LFG

LARRY GOLDSTONE, CLARENCE G. SIMMONS,
III, and JANE E. STARRETT,

Defendants.

**PARTIES' UNOPPOSED MOTION TO VACATE AND RESCHEDULE
HEARING ON PENDING MOTIONS**

Plaintiff Securities and Exchange Commission and Defendants Larry Goldstone, Clarence G. Simmons, III, and Jane E. Starrett jointly and respectfully request that the Court vacate the hearing currently scheduled for Monday, July 30, 2012 on i) the Motion to Dismiss on Behalf of Defendants Larry Goldstone and Clarence G. Simmons [Doc 35]; ii) Defendant Jane Starrett's Motion to Dismiss [Doc. 36]; and iii) the Request for Judicial Notice in Support of Defendants' Motions to Dismiss Complaint [Doc. 39], and reschedule the hearing for Tuesday, July 31, 2012. As grounds for this request, the parties state that because the majority of all counsel will be travelling from out-of-state to appear at the hearing, moving the hearing to Tuesday gives all parties and their counsel more time to prepare for this hearing.

Pursuant to D.N.M.LR-Civ. 7.1, all counsel concur in this motion.

WHEREFORE, Plaintiff Securities and Exchange Commission and Defendants Larry Goldstone, Clarence G. Simmons, III, and Jane E. Starrett request that the Court enter an Order vacating the hearing currently scheduled for Monday, July 30, 2012 and rescheduling the hearing for Tuesday, July 31, 2012.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 27, 2012, the foregoing *Parties'* *Unopposed Motion to Vacate and Reschedule Hearing on Pending Motions* was electronically filed with the Clerk of Court using the CM/ECF system that that will send notification of such filing to all counsel of record.

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